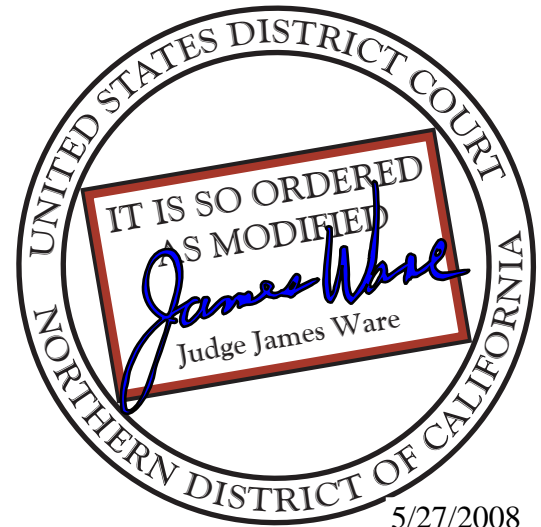


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and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA



UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

YUPEI TIAN,

Plaintiff,

v.

PRUCO LIFE INSURANCE
COMPANY, THE PRUDENTIAL
INSURANCE COMPANY OF
AMERICA,

Defendants.

CASE NO. C07-04343-JW

STIPULATION AND [PROPOSED]
ORDER AMENDING CASE
SCHEDULE

1 The parties conducted a mediation before Jessica Notini, Esq. on March 18, 2008. The case
 2 was not resolved, but the parties are continuing to discuss the possibility of settlement. Pursuant to
 3 the Court's December 13, 2007 Scheduling Order, the deadline for serving expert witness
 4 disclosures is on June 2, 2008, with rebuttal expert disclosures due on June 16, 2008. The parties
 5 believe that continuance of these dates, as well as the other dates set forth in the Scheduling Order,
 6 by approximately thirty (30) days will facilitate continued settlement discussions and the possible
 7 resolution of this matter. There have been no previous time modifications in this case.

8 THEREFORE, IT IS HEREBY STIPULATED, by and between all parties herein, by and
 9 through their respective counsel, and subject to Court approval, that the Case Schedule in the
 10 Court's December 13, 2007 Scheduling Order be amended to provide as follows:

11 **AMENDED CASE SCHEDULE**

13 Disclosure of Expert Witnesses (¶ 4)	July 14, 2008
14 <i>(63 days before close of discovery)</i>	
15 Rebuttal Expert Witnesses (¶ 7)	July 28, 2008
16 <i>(49 days prior to discovery cutoff)</i>	
17 Close of All Discovery (¶ 9)	September 15, 2008
18 Last Date for Hearing Dispositive Motions (¶ 10)	November 17, 2008
19 <i>(60 days after the Close of All Discovery)</i>	
20 Preliminary Pretrial Conference Statements (¶ 11)	August 1, 2008
21 <i>(Due 10 days before conference)</i>	
22 Preliminary Pretrial Conference at 11:00 a.m. (¶ 12)	August 11, 2008
23 <i>(30 days before the Close of All Discovery)</i>	

24 IT IS RESPECTFULLY REQUESTED that the Court issue an Amended Scheduling Order
 25 conforming to the proposed Amended Case Schedule set forth above, based upon this Stipulation
 26 of the parties.

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1 DATED: May 23, 2008

CAMPBELL, Warburton, Fitzsimmons,
SMITH, MENDELL & PASTORE

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3
4 By: _____/s/_____
Lisa Jeong Cummins
Attorneys for Plaintiff
5 YUPEI TIAN
6

7 DATED: May 23, 2008

GORDON & REES LLP

8
9 By: _____/s/_____
10 Leslie K. Crary
Attorneys for Defendants
11 PRUCO LIFE INSURANCE COMPANY
and THE PRUDENTIAL INSURANCE
12 COMPANY OF AMERICA

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[PROPOSED] ORDER

BASED UPON THE ABOVE STIPULATION OF THE PARTIES, the Court hereby adopts the following dates set forth in the parties' Stipulation as its Amended Scheduling Order for the above-captioned case.

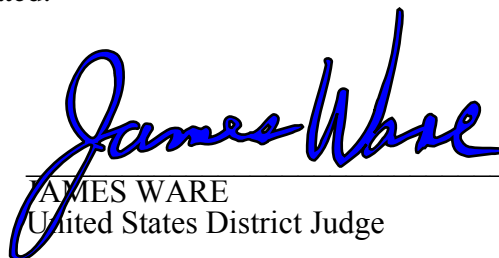
AMENDED CASE SCHEDULE

Disclosure of Expert Witnesses (§ 4) <i>(63 days before close of discovery)</i>	July 14, 2008
Rebuttal Expert Witnesses (§ 7) <i>(49 days prior to discovery cutoff)</i>	July 28, 2008
Close of All Discovery (§ 9)	September 15, 2008
Last Date for Hearing Dispositive Motions (§ 10) <i>(60 days after the Close of All Discovery)</i>	November 17, 2008
Preliminary Pretrial Conference Statements (§ 11) <i>(Due 10 days before conference)</i>	August 15 2008
Preliminary Pretrial Conference at 11:00 a.m. (§ 12) <i>(30 days before the Close of All Discovery)</i>	August 25 2008

IT IS SO ORDERED.

The date for the Preliminary Pretrial Conference is modified to accomodate the Court's scheduling availabilty, all other dates remain as stipulated.

DATED: May 27, 2008


JAMES WARE
United States District Judge

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1 PURSUANT TO GENERAL ORDER 45,

2 I, Lisa Jeong Cummins, the ECF User transmitting and filing this **STIPULATION AND**
3 **[PROPOSED] ORDER AMENDING CASE SCHEDULE**, attest that I have obtained the
4 concurrence of Leslie K. Crary on this filing. I declare the foregoing under the penalty of perjury.

5
6 DATED: May 23, 2008

CAMPBELL, Warburton, Fitzsimmons,
SMITH, MENDELL & PASTORE

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8
9 By: _____/s/_____
Lisa Jeong Cummins
Attorneys for Plaintiff
YUPEI TIAN
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